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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

THE BOARD OF TRUSTEES of the) No. C 06 7703 CRB
 LABORERS HEALTH AND WELFARE)
 TRUST FUND FOR NORTHERN)
 CALIFORNIA; LABORERS VACATION-)
 HOLIDAY TRUST FUND FOR NORTHERN)
 CALIFORNIA; LABORERS PENSION TRUST)
 FUND FOR NORTHERN CALIFORNIA; and)
 LABORERS TRAINING AND RETRAINING)
 TRUST FUND FOR NORTHERN)
 CALIFORNIA,)

**STIPULATION TO FILE FIRST
 AMENDED COMPLAINT;
~~[PROPOSED]~~ ORDER**

Plaintiffs,

v.

STEVENS CREEK QUARRY, INC., A
 California Corporation,

Defendant.

Plaintiffs, Board of Trustees of the Laborers Health and Welfare Trust Fund for Northern
 California; Laborers Vacation-Holiday Trust Fund for Northern California; Laborers Pension Trust
 Fund for Northern California; and Laborers Training and Retraining Trust Fund for Northern
 California, and Defendant, Stevens Creek Quarry, Inc., by and through their counsel of record,
 hereby stipulate that Plaintiff be allowed to amend and file its First Amended Complaint to change

1 Plaintiffs' name. A copy of the First Amended Complaint is attached hereto as Exhibit "A."

2 The parties further stipulate that Defendant's answer, filed on January 29, 2007 is effective
3 as a response to Plaintiff's First Amended Complaint.

4 Dated: May 23 2007

5 WEINBERG, ROGER & ROSENFELD
6 A Professional Corporation

7 By: [Signature]

8 CONCEPCION LOZANO-BATISTA
9 Attorneys for Plaintiffs

10 Dated: May 21 2007

11 COOK BROWN LLP

12 By: [Signature]

13 DENNIS COOK
14 Attorney for Defendant

15 ORDER

16 Pursuant to the stipulation between the parties, it is hereby ordered that Plaintiffs may
17 amend and file their First Amended Complaint.

18 Dated: 06/05/07

19 114618/458277

